



W.P.(MD).No.24441 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.24441 of 2024

Maridhurai

... Petitioner

Vs.

1.The Secretary to Government,
Department of HR and CE,
St.George Fort,
Chennai.

2.The Commissioner,
Department of HR and CE,
No.119, Uthamara Gandhi Salai,
Chennai.

3.The Joint Commissioner,
Department of HR and CE,
14/1, Thiruvananthapuram Road,
Palayamkottai,
Tirunelveli – 2.

4.Nanguneri Sri Vanumamalai Mutt,
Represented by its Secretary,
S.Dievanayagan,
Nanguneri - 627 108,
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents 1 to



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3 to take appropriate action against 4th respondent based on the petitioner's representation dated 11.09.2024.

For Petitioner	: Mr.S.Chellapandian
For R-1 to R-3	: Mr.K.S.Selvaganesan Additional Government Pleader
For R-4	: Mr.V.Ramakrishnan

ORDER

The present Writ Petition is filed for Mandamus directing the respondents 1 to 3 to take appropriate action against the fourth respondent based on the petitioner's representation dated 11.09.2024.

2. It is submitted by the learned counsel for the petitioner that the petitioner is engaged in farming for more than 30 years and the lands surrounding the foothills of Western Ghats, which are owned by Nanguneri Sri Vanamamalai Mutt, were leased out to local villagers for farming. In the year 2020, the petitioner entered into a lease agreement with the Mutt for 11.5 acres of land and deposited a sum of Rs.1,00,000/-. Annual rent of Rs.21,000/- was agreed upon and the same was paid by the petitioner for the years 2021 to 2023, except the first year. While so, on 10.07.2021, the fourth respondent, who is the power agent of the Mutt demanded huge sums from the petitioner and also threatened to lease the land to others in the event of failure of payment. It is



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alleged that the fourth respondent is collecting lease payments without providing proper receipts or accounting the same. On 06.09.2024, the fourth respondent along with others illegally entered into the petitioner's land and destroyed the crops and forcibly evicted the petitioner from the leased out land. Hence, the petitioner submitted a representation dated 11.09.2024 to the respondents 1 to 3 to take action against the fourth respondent for misappropriation and mismanagement of the Mutt. Since the same was not considered, the present Writ Petition has been filed.

3. It is submitted by the learned Additional Government Pleader appearing for the respondents 1 to 3 that the that the petitioner's representation would be considered and orders would be passed in accordance with law within a period of eight weeks, which was accepted by the learned counsel for the petitioner.

4. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 11.09.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, fourth respondent and any other



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interested persons/stake holders, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

18.10.2024

Index : Yes / No
Internet : Yes/ No
Lm

To

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MOHAMMED SHAFFIQ, J.

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